

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RICHARD PIERCE SUMNER, JR.,

Plaintiff,

v.

EXCEL TEMPS SERVICES,

Defendant.

Case No. 11-cv-2-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on the Court's November 30, 2011, order for plaintiff Richard Pierce Sumner, Jr., to show cause on or before December 16, 2011, why this case should not be dismissed without prejudice for failure to timely effect service (Doc. 7). In that order, the Court warned Sumner that if he failed to respond to the order in a timely manner, the Court would dismiss this action. Sumner has not responded to the order to show cause. For this reason, as it warned Sumner it would do, the Court **DISMISSES** this action pursuant to Federal Rule of Civil Procedure 4(m) **without prejudice** for failure to timely effect service and **DIRECTS** the Clerk of Court to close this case.

IT IS SO ORDERED.

DATED: January 9, 2012

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE